



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/099,874	03/15/2002	Merle Leland Green	LUC-322/Green 1-1-1-2-32	5365
47382	7590	07/01/2005	EXAMINER	
PATTI & BRILL, LLC ONE NORTH LASALLE STREET 44TH FLOOR CHICAGO, IL 60602			SING, SIMON P	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/099,874

Applicant(s)

GREEN ET AL.

Examiner

Simon Sing

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-10,13,14,16 and 18-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6,8-10,13,14,16 and 18-21 is/are allowed.
- 6) ☒ Claim(s) 22-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 22-31 and 33-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. US 5,995,596 in view of Porter US 5,963,618.

1.1 Regarding claims 22 and 25, Shaffer discloses a voice messaging system in figure 1. Shaffer teaches creating multiple voice mailboxes at different nodes for a user (column 3, lines 15-21), and once a voice message is recorded in a mailbox (storage device), a token comprising an identification of the mailbox (voicemail address) is created, and the token is then transferred to other mailboxes (first mailbox and second mailbox) so that the user will be able to retrieve voice messages from other mailboxes (column 3, lines 22-34). Shaffer further teaches that each token corresponds to each message (column 4, lines 37-38), and identifies the mailbox (Node address, and mailbox name (directory)), the sender and the time and date (header of the voice message, or file name) (column 3, lines 30-32).

Shaffer teaches connecting mailboxes through a communications network 10 (figure 2) and the messaging system includes e-mail and multimedia messaging, and

can be worldwide (column 2, lines 64-67; column 3, lines 1-5). Shaffer fails to explicitly teach that the communication network 10 comprises an Internet.

However, Porter discloses a voice messaging system in figures 3 and 5. Porter teaches multiple mailboxes are connected together by a communications network, such as a LAN using TCP/IP protocol (figure 3; column 7, lines 66-67; column 8, lines 1-6), or an Internet (figure 5; column 11, lines 3-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shaffer's reference with the teaching of Porter, so that the communication network 10 would have comprised an Internet, and the token of a voice message would have comprised an domain name (an Internet based voice messaging system inherently has a domain name), a mailbox name (directory) and a header (file name) of the voice message, because ~~such~~ using an Internet would have reduce a long distant phone line cost, especially in a worldwide network.

1.2 Regarding claim 23, Shaffer teaches sending the token to other mailboxes to enable a user to retrieve the voice message (column 3, lines 32-34).

1.3 Regarding claims 24 and 26, Shaffer teaches retrieving the voice message from any other mailboxes (column 3, lines 32-34).

1.4 Regarding claim 27, Shaffer teaches that only one mailbox receive voice messages (column 3, lines 47-49).

1.5 Regarding claim 28, Shaffer teaches that the token (pointer), sent to other mailboxes, identifies the mailbox (one that stored the voice message) and the voice message (column 3, lines 30-32; column 4, lines 37-38).

1.6 Regarding claims 29 and 30, Shaffer teaches downloading the voice message to other mailboxes, and it is inherent that though a voice mailbox, a voice message can be deleted.

1.7 Regarding claim 31, as discussed in claim 25, the modified Shaffer reference teaches connecting multiple mailboxes through Internet, and it is inherent that once a mailbox is accessed, voice messages can be retrieved, forwarded and deleted.

1.8 Regarding claim 33, Shaffer teaches forwarding the token to all remote mailboxes when a voice message is received in a local mailbox (column 3, lines 22-

1.9 Regarding claims 34 and 36, the modified Shaffer reference, teaches accessing the voice message through the communication network 10, which comprises an Internet.

1.10 Regarding claims 35 and 37, Shaffer teaches storing voice message at the voice mailbox, and the voice message can be retrieved through other voice mailboxes as discussed in claim 22.

2. Claims 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. US 5,995,596 in view of Porter US 5,963,618 and further in view of Hamel et al. US 5,943,402.

The modified Shaffer reference, teaches retrieving a voice message through Internet, but fails to teach modifying the voice message.

However, Hamel discloses a system for annotating and editing voice messages in figure 1. Hamel teaches segmenting a voice message (column 1, lines 55-67; column 2, lines 1-2, 15-21) and recordings voice comments to the voice message (column 8, lines 46-64).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Shaffer's reference, which was modified by Porter, with the teaching of Hamel, so that a voice messaging system would have been able to modify a voice message, because such a modification would have enabled a user to add notes and comments to a voice message.

Allowable Subject Matter

3. Claims 1-6, 8-10, 13, 14, 16 and 18-21 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Art Unit: 2645

3.1 Independent claim 1 of current invention discloses a voice messaging system having two of voice mailboxes (which do not store voice messages) linked to a storage device (which stores voice messages) via Internet. Each mailbox is linked to a particular voicemail message by a reference, stored in each mailbox, associated with said particular voicemail message. The storage device deletes the particular voicemail message once references of the voicemail message are deleted from the first voice mailbox and the second voice mailbox. Shaffer and Porter fail to teach this deleting feature.

3.2 independent claims 14 and 16 disclose a storage device coupled to a first voice mailbox and a second voice mailbox through Internet. Copying an address of a voicemail message from the first voice mailbox to the second voice mailbox, also comprising changing a correspondence of the voicemail message on the storage device from the first voice mailbox to the second voice mailbox. Shaffer and Porter teach copying an address to other mailboxes, but fail to teach copying changing a correspondence of voice message in a storage device from a first voice mailbox to a second voice mailbox.

3.3 Claims 2-6, 8-10, 13, 18 and 19 are dependent on claim 1, and therefore allowed.

3.4 Claims 20 and 21 are dependent on claim 14, and therefore allowed.

4 Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

5. Applicant's arguments with respect to claims 22-37 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

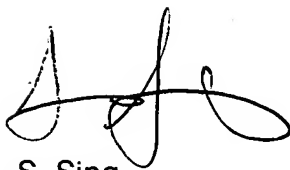
6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2645

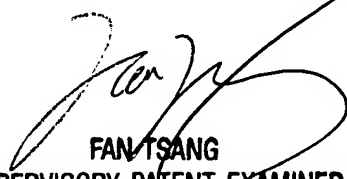
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is (571) 272-7545. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306 (571-273-8300 after 7/15/2005). Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.



S. Sing

06/24/2005



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600